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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,707	10/01/2001	Heinz Pauly	07781.0035	7021

22852 7590 12/18/2003

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EXAMINER

CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
2172	7

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/937,707

Applicant(s)

PAULY ET AL.

Examiner

Jean M Corrielus

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 47 is/are allowed.
- 6) ☒ Claim(s) 25-29, 38, 39 and 45 is/are rejected.
- 7) ☐ Claim(s) 30-37, 40-44 and 46 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6 6) ☐ Other: _____

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DETAILED ACTION

1. This office action is in response to the preliminary amendment filed on December 27, 2001, in which claims 1-24 are canceled and claims 25-47 are added for examination.

Information Disclosure Statement

2. The information disclosure statement filed on October 01, 2001 complies with the provisions of M.E.P. § 609. It has been placed in the application file. The information referred to therein has been considered as to the merits.

Drawings

3. Applicants are required to furnish the formal drawings in response this office action. No new matter may be introduced in the required drawing. Failure to timely submit a drawing will result in **ABANDONMENT** of the application.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

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The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 25-29, 38-39 and 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Shih et al., (hereinafter "Shih") US Patent no. 6,615,223.

As to claim 25, Shih discloses the claimed "recording change information relating to data stored in at least one of the central and local databases in the database network system in at least one of the plurality of node systems" as storing the changes to be made by each database (col.2, lines 1-45); "transmitting a replication object including the change information, if an online connection is available, from said at least one of the node system to the central system or from the central system to said one of the node systems, the recipients of the replication object being determined based on at least one lookup table in the central system" (col.5, lines 6-38); and "updating said at least one lookup table in accordance with the change information of the replication object" (col.9, lines 29-35).

As to claim 26, discloses the claimed "wherein the replication object comprises data sets which are public among the central database and local databases in the database network system"(col.3, lines 1-45; col.5, lines 6-39).

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As to claim 27, discloses the claimed “wherein the replication object comprises a type of structure, and a type of database operation corresponding to the change information, the database operation being one of modification, insertion and deletion” (col.5, lines 6-39).

As to claim 28, discloses the claimed “processing the replication object in the central system in accordance with a flow definition specific for the type of structure of the replication object”(col.5, lines 6-39).

As to claim 29, discloses the claimed “wherein the change information is transmitted by a remote call such that common data items required for a plurality of calls in an outbound queue need to be stored only once”(col.5, lines 6-39).

As to claim 38, discloses the claimed “comparing data in a distribution critical data field with distribution rules predetermined in a subscription table, and wherein said at least one lookup table is updated on the basis of the comparison” (col.19, line 30-co.21, line 26).

As to claim 39, discloses “wherein said at least one look-up table for the replication object is updated in accordance with lookup table for a higher level replication object” as policy set by the system (col.22, lines 47-67).

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As to claim 45, discloses the claimed "wherein the replication object is identified by a key assigned uniquely throughout the database network system" as a program code (col.)25, lines 16-24.

Allowable Subject Matter

6. Claims 30-37, 40-44, 46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. Claim 47 is allowable over the prior art made of record.

Conclusion

8. Any inquiry concerning this communication or early communication from the Examiner should be directed to **Jean M. Corrielus** whose telephone number is (703) 306-3035. The Examiner can normally be reached on Tuesday-Friday from 7:00am to 5:30pm. If attempts to reach the Examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu, can be reached on Monday-Friday from 9:00 a.m.-6:00 p.m. at (703)305-4393.

Any response to this action should be mailed to: Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to: (703) 308-9051, (for formal communications intended for entry)

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Or: (703)305-9731 (for informal or draft communications, please label "PROPOSED" or "DRAFT") Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-9600.



Jean M. Corrielus

Primary Examiner

December 15, 2003